

(c) A department director may temporarily suspend without pay any civil service employee in his/her department (or division) for any period of time not to exceed 90 days. An employee temporarily suspended for up to 15 calendar days, shall not have a right of appeal before the commission, but civil service employees may request a review and hearing which may be granted at the discretion of the commission. An employee temporarily suspended for 16 to 90 calendar days shall have a right of appeal before the commission pursuant to the authority vested in it by the Charter and these rules.

(d) No indefinite suspension, demotion or reduction in pay of any civil service employee shall become effective until the employee has been given an opportunity by his/her department director to explain the conditions or actions which prompted consideration of one or more of these disciplinary actions. The department director shall give to the employee written notice of the indefinite suspension, demotion or reduction in pay, the effective date thereof, and the reasons or grounds for such action with a copy of the notice to the commission. The disciplinary action shall then become effective immediately, but the employee shall retain the right of appeal to the commission as prescribed in these rules. After hearing the appeal, the commission shall either sustain the action, lessen the penalty, increase the penalty, or reject the action of the department director. The decision of the commission shall be final.
(Code 1968, § 12-182; Ord. No. 05-90, § 1, 1-25-05; Ord. No. 05-91, § 1, 1-25-05)

Sec. 14-183. Violation of certain standards of conduct to result in disciplinary action.

Any civil service employee, either full- or part-time, may be disciplined under the provisions of subsections 14-182(a) and (b), for violating any of the standards of conduct enumerated and listed hereinbelow. Any noncivil service employee, either full- or part-time, may be disciplined at the discretion of the employee's department director and the mayor for violating any of the following standards of conduct:

(a) An employee shall not:

- (1) Accept or solicit any money, property, service or other thing of value by way of gift,

favor, loan or otherwise which the employee knows or should know is being offered or given with the intent to influence said employee in the discharge of official duties.

- (2) Accept or solicit any money, property, service or other thing of value from a private person or group of people in return for having exercised, performed or failed to perform official duties. Excepted from this prohibition are regularly scheduled wages and other employee benefits paid or given to an employee of a private person or company while such employee is working for the city as a loaned executive.
- (3) Engage in any business or professional activity which might tend to impair independence of judgment in the discharge of official duties.
- (4) Engage in any outside employment without first securing approval, in writing, from the department director.
- (5) Invest or hold any investment or interest directly or indirectly in any financial, business, commercial or other transaction, which creates or might reasonably tend to create a conflict between the public trust held as an employee of the city and the employee's private interests.
- (6) Disclose confidential information concerning the property, operations, policies or affairs of the city, nor use such confidential information to advance the personal interests, financial or otherwise, of said employee or others.
- (7) Use one's official position or the city's facilities, equipment or supplies, nor use or attempt to use one's official position to secure special advantage, privilege or exemption for the employee or others.
- (8) Negotiate for or accept future employment with any person, firm, association or corporation which has a substantial interest in any proposed ordinance or decision within such person's area of responsibility and upon which the employee may or must act or make a recommendation.

- (9) Represent, directly or indirectly, any private person, group or interest before any agency of the city, except in matters of purely civic or public concern and when doing so without compensation or remuneration.
- (10) Represent directly or indirectly, any private person, group or interest in any action or proceeding against the interests of the city, or in any litigation in which the city or any agency thereof is a party. However, this provision shall not prohibit representation by a group, firm or organization the employee is associated with if such employee does not participate in the action proceeding or litigation in any manner.
- (11) Represent, directly or indirectly, any private person, group or interest in any action or proceeding in the municipal courts of the city which was instituted by a city officer or employee in the course of official duties.
- (12) Violate any provision or set of provisions of a departmental code of ethical conduct promulgated pursuant to subsection (f) hereinbelow for the city department of which the employee is a member.

(b) If an employee has a personal interest, direct or indirect, financial or otherwise, in any decision pending before such employee or a body or group of which the employee is a member, the employee shall not participate in the consideration of the matter. If such employee is in attendance at such meeting, he or she shall publicly disclose a conflict of interest to the body or group prior to any determination of the matter.

(c) Reserved.

(d) Certain classifications of employee may be required by a department director to report all gifts received from any person, business entity or organization. An employee in a classification so designated by a department director shall report all gifts, including the estimated amount of the gift and the source, on April 30 of each year, for the preceding calendar year. The department director shall file with the city secretary a list of the

job classifications required to make this report. Excluded from the requirement are gifts received from relatives within the second degree of consanguinity or affinity, and food and beverages of trivial benefit.

(e) Department directors may require certain classifications of employees to report a list of all real property held legally or beneficially by them. An employee in a classification so designated by a department director shall report all such real property held legally or beneficially by him on April 30 of each year for the preceding calendar year. The department director shall file with the city secretary a list of the job classifications required to make this report.

(f) Department directors shall, in consonance with the foregoing standards, establish by administrative rules or regulations additional requirements for the ethical conduct of salaried municipal employees, or classifications of such employees, within their respective departments. Such administrative rules or regulations shall be approved by the mayor and placed on file with the city secretary and the applicable department director.

(g) The term "*salaried municipal employee*," as used in this section, shall include civil service employees and non-civil service employees. (Code 1968, § 12-183; Ord. No. 75-1054, § 1, 6-18-75; Ord. No. 75-2242, §§ 1, 2, 12-17-75; Ord. No. 82-862, § 1, 5-19-82; Ord. No. 93-1480, § 1, 11-17-93; Ord. No. 05-91, § 1, 1-25-05)

Cross reference—Ethics and financial disclosure, § 18-1 et seq.

Sec. 14-184. Carrying of dangerous weapons while on duty or on city property.

(a) All employees, except those who are required to do so in the performance of their official duties, are prohibited from carrying dangerous weapons while on duty or while on city property. Possession alone is "carrying" for the purpose of this rule, no transporting of the weapon is necessary. Further, possession includes all enumerated weapons within the employee's control, either on